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Attorney for Nationstar Mortgage LLC d/b/a Mr. Cooper

6 [FILE 19-027480 CXE]

7 **UNITED STATES BANKRUPTCY COURT**
8 **DISTRICT OF ARIZONA**

9 In re:

Case # 2:20-bk-01580-EPB

10 KUSHUNE ALLEN,

Chapter 13

11 Debtor.

OBJECTION TO CHAPTER 13 PLAN BY
Nationstar Mortgage LLC d/b/a Mr. Cooper

12 Nationstar Mortgage LLC d/b/a Mr. Cooper, ("MRC"), a secured creditor in this
13 bankruptcy case, through undersigned counsel hereby objects to the confirmation of the Chapter
14 13 Plan filed by the Debtor for the reasons stated below.

15 1. MRC is the holder of a note ("the MRC Note"), secured by a deed of trust
16 recorded in the first position against certain real property, ("the Property"), generally described
17 as 6169 W Evergreen Rd, Glendale, AZ 85302.

18 True and correct copies of the Note and Deed of Trust held by MRC are attached
19 to the Proof of Claim at Claim's Register #2. Upon information and belief, the above-described
20 real property is the principal residence of the Debtor.

21 2. When the bankruptcy petition was filed on February 15, 2020, the
22 payments under the terms of the MRC Note were in default. The plan incorrectly states the
23 creditor and amount of the default on the MRC Note to be cured. The correct amount of the
24 default to be cured pursuant to the Proof of Claim filed by MRC is as follows:

1 ARREARAGE AMOUNT DUE at the time the case was filed:

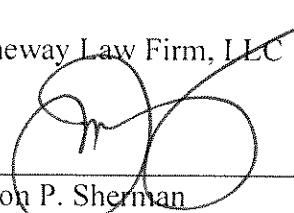
3 **TOTAL ARREARAGE AND OTHER CHARGES:** **\$12,154.56¹**

4 3. MRC objects to the Confirmation unless the regular post-petition
5 payments due on the Note are current.

6 WHEREFORE, MRC objects to confirmation of the chapter 13 Plan.

7 DATED this 6 day of March, 2020.

8 Janeway Law Firm, LLC

9 
10 _____
11 Jason P. Sherman

Lydia R. Tulin

12 Attorney for Nationstar Mortgage LLC d/b/a Mr.
13 Cooper

14 Original filed this 6 day
15 of March, 2020 with:

16 United States Bankruptcy Court
17 230 N. First Ave., Suite 204
18 Phoenix, AZ 85003-1706

19 Copy of the foregoing was mailed
20 this 6 day of March, 2020 to:

21 Chapter 13 Trustee:
22 Russell Brown
23 3838 North Central Avenue
24 Suite 800
Phoenix, AZ 85012-1965

¹ MRC has not included post-petition bankruptcy attorneys' fees and costs, which were incurred post-petition. If the Debtor intends to cure the post-petition attorneys' fees and costs through the plan, Debtor should contact counsel for MRC to determine the amount.

1 Attorney for Debtor:
Thomas Adams Mcavity
2 Phoenix Fresh Start Bankruptcy Attorneys
4602 E Thomas Rd, Ste S-9
3 Phoenix, AZ 85028

4 Debtor:
Kushune Allen
5 6169 W Evergreen Rd
Glendale, AZ 85302

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7 By  _____
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